

EXHIBIT M

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

"BABY L.", a minor, by and
through her legal guardians and
next friends, DOE 1 and DOE 2,
et al.,

Plaintiffs,

vs.

CIVIL NO.: 3:20-CV-00009
February 26, 2020
Lynchburg, Virginia
SEALED TRO HEARING
(Conference Call)

DR. MARK ESPER, in his official
capacity as Secretary for the
United States Department of
Defense, et al.,

Before:
HONORABLE NORMAN K. MOON
UNITED STATES DISTRICT JUDGE
WESTERN DISTRICT OF VIRGINIA

Defendants.

APPEARANCES:

For the Plaintiffs:

RICHARD L. MAST, ESQUIRE
Liberty Counsel
PO Box 11108
Lynchburg, Virginia 24506
800-671-1776
court@lc.org

Mary J. Butenschoen, RPR, CRR
210 Franklin Road, S.W., Room 540
Roanoke, Virginia 24011
540-857-5100, Ext. 5312

PROCEEDINGS RECORDED BY MECHANICAL STENOGRAPHY; TRANSCRIPT
PRODUCED BY COMPUTER.

1 First, they should have obtained the consent of the
2 [REDACTED] government to the transfer of Baby L. While
3 plaintiffs' counsel conceded both that it was required and
4 they sought it, it ultimately was not obtained.

5 Second, plaintiffs' counsel also submitted an
6 application for a Visa for this child to enter the US, which,
7 again, plaintiff conceded was not granted.

8 Plaintiffs' failure to succeed under the two avenues
9 demonstrate there's no legal basis to bring Baby L to the
10 United States.

11 Lastly, I cannot overlook the international
12 ramifications of the Court granting the request for temporary
13 restraining order. The State Department has ably articulated
14 the US government's foreign policy interest and has argued
15 relations with [REDACTED] are significantly implicated by
16 this case.

17 Plaintiffs' counsel suggested that if only the State
18 Department would, quote, get out of the way, end of quote,
19 everything would proceed in an orderly fashion and [REDACTED]
20 would respect human rights law. But it is the role of the
21 State Department and not private litigants or the Court to
22 determine the foreign policy interest of the United States.

23 For these reasons, I deny plaintiffs' motion for a
24 TRO.

25 And that's the decision. And anything else?